

PATENT APPLICATION

Docket No.: NC 84,696

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of: Stanish et al.
Serial No.: 10/644,558
Filed: 08/19/2003
For: BIOBASED MICROBATTERY
Examiner: Wills, Monique M.
Art Group Unit: 1746

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Honorable Commissioner of Patents
PO Box 1450
Alexandria, VA 22313-1450

July 11, 2005

FEE TRANSMITTAL

Sir:

Please charge the terminal disclaimer fee under 37 C.F.R. 1.120(de) of \$130 to Deposit Account No. 50-0281.

In the event that an additional fee is required, please charge the fee to Deposit Account No. 50-0281, and in the event that there is a credit due, please credit Deposit Account No. 50-0281.

Respectfully submitted,



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Date: 07/11/2005**To:** Examiner Monique M. Wills

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Cover Sheet + 4 Pages

Message:

RE: Patent Application No.: 10/644,558

Filed: 08/19/2003

Inventor: Stanish et al.

Docket No.: NC 84,696

Response to Non-final Rejection – 2 pages

Terminal Disclaimer – 1 page

Fee Transmittal – 1 page

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RESPONSE TO NONFINAL REJECTION

Sir:

In response to the Office action of 06/29/2005, setting a three month shortened statutory period of reply, please consider the following remarks.

Claims 1-27 are pending in the application. Claims 1-22 and 25-27 have been rejected. Claims 23 and 24 have been objected to.

Double Patenting

Claims 1-22 and 25-27 have been rejected under the judicially created doctrine of obviousness-type double patenting as being allegedly unpatentable over claims 28-34, 40-42, 45-51, 55, and 59 of US Patent No. 6,680,142.

Without admitting any obviousness of the claimed invention, a terminal disclaimer over the patent is attached.

In view of the foregoing, it is submitted that the application is now in condition for allowance.

The fee for the terminal disclaimer is paid by the attached Fee Transmittal. In the event that an additional fee is required, please charge the fee to Deposit Account No. 50-0281,

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7/11/05
Date

Joseph T. Grunkemeyer
Joseph T. Grunkemeyer

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